

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:11cv111

PAMELA L. ALEXANDER,

Plaintiff,

vs.

**MARISSA PALKUTI, DR. PETZEL, DEBRA NAVE,
MARY RAYMER and KATHY HEAPHY,**

Defendants.

ORDER

THIS MATTER is before the Court sua sponte to provide the Plaintiff with notice pursuant to Federal Rule of Civil Procedure 4(m).

On May 6, 2011, the Plaintiff initiated this action by filing a complaint. [Doc. 1]. On May 10, 2011, the Plaintiff was denied leave to proceed without the prepayment of fees. [Doc. 3]. The filing fee was paid on June 13, 2011 and on June 14, 2011, the Summonses were issued conventionally for service. [Doc. 4].

To date, the Plaintiff has not filed proof of service. Federal Rule of Civil Procedure 4 provides:

If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own

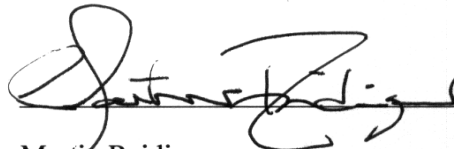
after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed.R.Civ.P. 4(m).

The Plaintiff is hereby placed on notice that unless good cause is shown for the failure to effect service of the summons and complaint on the Defendants, this action shall be dismissed without prejudice.

IT IS, THEREFORE, ORDERED that on or before fifteen (15) days of entry of this Order, the Plaintiff shall show good cause for the failure to effect service on the Defendants.

Signed: October 18, 2011


Martin Reidinger
United States District Judge

